4: Hoffman E-4 (no date) 1967 MW11 Shluh MW11
(ca. 1900)

THE STRUCTURE OF TRADITIONAL MOROCCAN RURAL SOCIETY

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by

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[Title Page]

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000 invasions have mixed the Berber populations to the point that the former names are little remembered, and where they do occur it is usually as the name of a tribe, such as the long-Arabized Zenata of Feuala (302). The modern Berber divisions are definable by language - generally, but not completely, corresponding to dialect divisions within Berber - and by culture. The Shluh, derived from a mixture of Masmouda and Sanhaja, speak the dialect known as Tashilhait. The Berabers, who represent a mixture of Sanhaja, Zenata, and nomadic Arabs, speak Tamazight. The western tribes of the Jebala-Ghomara-Riffian group speak, or spoke, Tashilhait; the southern tribes, Tamazight; the eastern groups, Ruafa (also known as Zenatiya or Thazighth). Most of the Jebala-Ghomara-Riffian tribes now speak Arabic, some as their only language, but all still retain the rest of their culture. The Zenata east and southeast of the Rif also speak Ruafa, but are culturally distinguishable from the Riffians (*Encyclopédie Mensuelle d'Outre-Mer*, 1954, pp. 20-21; Great Britain, 1919, pp. 110-111; Johns Hopkins University, 1956, p. 44).

1. *Shluh*

101 161 The southern Berbers, the Shluh of the western High Atlas and of the Anti-Atlas (see Figure 2) number approximately 3,000,000. 197 101 Their form of Berber, Tashilhait, is divided into three dialects: Shilha, spoken by the Shluh of the western High Atlas, the lower Sous River valley, and the region between the Anti-Atlas and the Saguia el Hamra; Es-Susi spoken on the upper Sous; and Drawa spoken by the Shluh of the southern slopes of the Anti-Atlas and High Atlas west and north of the Dra. Many of the Shluh of the plains and foothills bordering the mountains also speak Arabic, and Arabic-speaking tribes are found intermingled with Shluh tribes in the southern areas (Applegate, 1957; Basset, 1952, p. 2; Great Britain, 1919, pp. 156, 167, 171, 174, 763-764).

241 361 342 343 The Shluh are characteristically sedentary agriculturalists engaged in mixed farming and residing in permanent stone or pounded earth houses often tightly concentrated into small villages with fortified storehouses (tighremt or agadir).

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4: Hoffman E-4 (no date) 1967 MW11 Shluh MW11 (ca. 1900)

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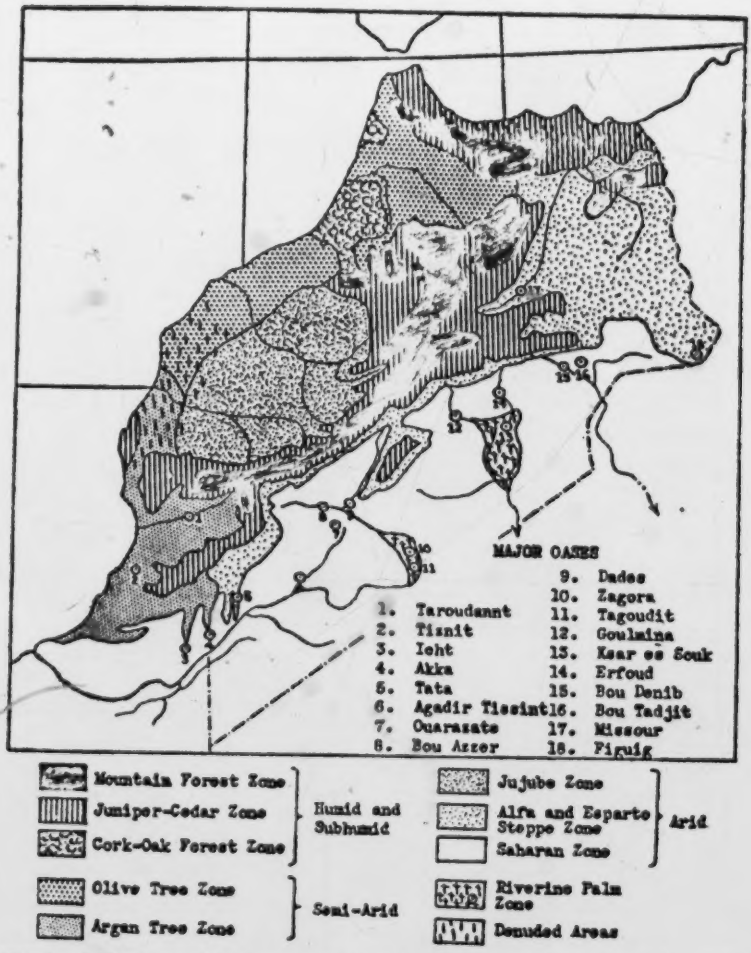

Fig. 2. Life-Zones of Morocco. Revised from Grandidier (1943, Map V) and Joly (1948, Fig. 28).

storehouses (*tighremt* or *agadir*). The pattern[1] varies considerably, however, depending upon the local environmental conditions. In the high mountains, specifically in the juniper-cedar and mountain forest life zones, where relatively low temperatures and high rainfall occur, such groups as the Seksqoua (see No. 559, map: *Tribes of Morocco*), Mesfious (594), Ait Quaouzouit (626-645), Ida ou

[1], [i.e., the agricultural pattern--Analyst]

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241 Kensous (674), and Ida Oultit (726-729) carry out intensive agricul-
[101] ture, with every possible patch of ground being cultivated. Irriga-
[132] tion and terracing are both highly developed. In the lower mountains wheat, barley, figs, other fruits, and vegetables are all cultivated, with barley the staple product and food. In the higher mountains, bordering on 7000 feet, wheat is entirely replaced by rye and
233 barley. Farming is everywhere supplemented by animal husbandry.
184 The farmers of the lower mountains and of the mountain valleys,
[241] where pasturage is scarce and poor, keep mostly cattle and goats, which are tended by the women and children. In the high mountains sheep become dominant, and double-transhumance (see below) appears; the range of migration is much smaller than among the Beraber, however. The herds are customarily tended by hired shepherds, though during the summer displacement parts of families may accompany them to the high pastures – the remainder staying in the villages to tend the summer crops. Transhumance is
[221] not generally practiced by the mountain Shluh, however, because of the scarcity of adquate pasturage (Adam, 1951, figs. 1-6, 16, 18-19 26; Dresch, 1939, pp. 29-56; Great Britain, 1919, p. 162; Johns Hopkins University, 1956, pp. 64-66; Joly, et al, 1959, pp. 82-83, fig. 40; Madras, 1948, pp. 9, 11, 13, 15, 16; Mercanton, 1944, p. 20; Montagne, 1930, pp. 47-48; 1930, pp. 48-56, 58, figs. 18-22; Robichez, 1948, pp. 16-31).

13 West and south of the mountains the country of the Shluh be-
241 comes increasingly arid and agriculture increasingly difficult. The argan tree zone lying along the coast between Essaouirà (Mogador) and Ifni, including the Sous valley, illustrates this clearly. Consist-
[101] ing of low valleys occasionally bisected by small rivers and covered with argan trees, it is occupied by such groups as the Haha (530-541), Ida Outanane (542-545), Ammeln (685), Ait Massa (702), and
241 Ait Oultit (726-729). Agriculture, held above subsistence with difficulty and partly dependent upon an elaborate irrigation system, is based primarily upon the cultivation of vegetables, olives, wheat,
233 and barley (the last two being largely dry farmed). Goats constitute the dominant livestock, thriving on the nuts of the argan tree, whose branches they climb. Some of the Arabic-speaking tribes along the Sous keep cattle, sheep, and camels, but pasturage is generally not sufficient to permit this elsewhere.

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generally not sufficient to permit this elsewhere. Dwellings usually consist of one-story houses made of mud and stone, with the rooms built around a courtyard. Surrounded by cactus, they are apt to be grouped closely together to form a hamlet or even a compact village; these villages usually have communal storehouses (Adam, 1951; Domenech Lafuente, 1946, pp. 83, 90-91, 121-143; Great Britain, 1919, p. 170; Jannes, 1953, opp. p. 64; Johns Hopkins University, 1956, pp. 63-64; Joly, et al, 1949, fig. 30; Mercanton, 1954, pp. 13, 15; Montagne, 1930, pp. 46-48; 1930, particularly figs. 1, 12, 14).

South of the Ifni enclave the argan tree zone is bordered by the Saharan zone; to the east, along the foothills of the Anti-Atlas, it encounters the western-most extension of the alfa and esparto grass steppe. In both the Saharan and steppe zones the effect of increasing aridity is to still further inhibit agriculture and emphasize nomadism. The entire region is, in fact, a zone of transition from the sedentary agriculture of the Shluh to the camel nomadism of the Arabic-speaking Berber-derived Regueibat (766-767). Shluh extend as far south as the Saguia el Hamra, but in the south they are much mixed with Arabic-speaking tribes and no boundary can be drawn with any accuracy. Representative tribes include the Skoura (648), Zenaga (657), part of the Ait Imerhrane (618-645), Oulad Jellal (658-660), Ida Oublal (661), Ait Lahsen (737), Ait Oussa (745), and Beni Izarguine (747). The tribes north of the Dra are concentrated in the oases and reside in fortified villages (*ksour*). Agriculture is confined to irrigated areas along riverbanks or in the oases, and consists of the cultivation of wheat, barley, corn, olives, almonds, fruit trees, melons and vegetables; it is often carried on by members of the depressed Harratine group. Many of the tribes also own large numbers of camels, oxen, goats, sheep, horses, asses and mules, which they graze on the desert steppe to the south. As one passes from north to south Arabic speech and nomadism become more and more prominent, but the correlation is not exact. The Imerhrane, Skoura and Zenaga are all Shilha-speakers, but the Imerhrane are partly sedentary and partly nomadic, while the Skoura and Zenaga are completely sedentary. The Oulad Yahya (652), Ida Oublal, and Ait Oumribet (681) are bilingual; the first

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two are partly sedentary and partly nomadic, and the last completely nomadic. The Arabic-speaking Oulad Jellal are completely nomadic. Some of the nomadic tribes, the Ida Oublal in particular, migrate great distances into the Sahara (Capot-Rey, 1942; Cauneille, 1950; Delaye, 1944; Domenech Lafuente, 1946, pp. 143-161; Flores Morales, 1946, pp. 87-111; Great Britain, 1919, pp. 171-175; Jannes, 1953, pp. 109-116; Joly, 1948a, pp. 90-96; 1948b; Madras, 1948, illust. between pp. 25-61; Montagne, 1930; Monteil, 1948; 1948b; Robichez, 1946, pp. 53-71; Thibert, 1948).

2. *Imazighen or Beraber*

000 The Berabers, numbering approximately 500,000, reside principally in the mountains of Central Morocco – the eastern High Atlas, their southern slopes, and the Middle Atlas. All speak the Taberberit dialect of Tamazight, while Arabic is a common second tongue among the southern pre-Saharan groups (Grandidier, 1934, Pl. 6; Great Britain, 1919, pp. 163-167).

The dominant feature of Beraber life is transhumance – a type of pastorialism characterized by the movement of livestock through successive seasonal pasturage. Unlike the sedentary Shluh, who must modify their agricultural base to make it conform to the requirements of a specific local environment, the Beraber turn the environmental differences of their country to their benefit, wintering their flocks or herds in the warm plains or steppes, moving them to the higher pastures in the mountains during the spring and summer, and retiring through new pasturage ahead of the descending snowline (Celerier, 1927, pp. 53-58; Joly, et al, 1949, pp. 83, 84-86).

Beraber transhumance has been classified into three distinct types – winter transhumance, summer transhumance, and double transhumance. The type practised by any particular tribe depends largely upon the location of its permanent residence. Winter transhumants own permanent houses (*taddart*) and collective granaries (*ighrem* or *tighremt*) which are located in the mountains, and most of the members therefore migrate with the herds to the winter pastures in the valley. Parts of the Ait Yafelmane confederation (428-

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(ca. 1900)

IV. TRADITIONAL RURAL SOCIAL STRUCTURE

[P.44]

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Structurally, the Berber and Arabic-speaking core-areas of rural 171
Morocco hold many features in common. Both areas are characterized by tribal units; both have kinship groupings defined by [611]
common descent in the male line; both have a patriarchy, and resi- [591]
dence of a married couple with the husband's family; both custo- [361]
marily reside in villages if they are sedentary, or in nomadic camps
if they engage in the care of flocks and herds. Both regions profess [771]
the same religion, and have similar religious institutions, associations, and beliefs. The outstanding differences between the Berbers and the Arabic-speaking peoples reside in those social institutions having a political nature, and in the legal systems. In these there is [64]
an almost continuous gradiation from the independent and decentralized Berber republics, through semi-Arabized and Arabized-Berber tribes, to the Bedouin *guich* tribes who were formerly completely involved in supporting an absolute and highly centralized government.

The traditional independence of the Berbers of the *Bled es Siba*, [648]
and the social pattern associated with it, survived until very re- [175]
cently, for the last independent tribes accepted government authority only in 1935. Berber independence in legal matters still continues, [671]
for, although the *dahir Berbere* (the French decree of 1930 giving [648]
Berber customary law equal status with Moslem law) was repealed in 1956, customary law still continues to determine legal process. In other matters the ancient trend towards Arabization continues [177]
and has been slightly accelerated, with groups demonstrating every degree of transition from their traditional pattern to that of the Arabic-speakers of the plains.

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A. BASIC TRADITIONAL UNITS OF ORGANIZATION

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The fundamental units of rural social organization are based, first of all, upon blood relationship in the male line and descent from a common ancestor, and, second, upon geographical proximity. Seven distinct types of units commonly occur, and some groups have as many as nine (see Tables II, III, and IV).

1. *Berbers*

a. *Nuclear Family*

594 [192]

The simplest social unit of Berber society is the nuclear family, established by a monogamous union, and consisting of a husband and wife, and their unmarried children. This unit is known as a *taka*, *takat*, or *kanoun* (Arabic) (all forms meaning "hearth") among the Shluh (Berque, 1955, pp. 37-38; Doutte, 1905); as a *kanoun* among the Beraber, and probably also among the Zenata (Querleux, 1915, p. 21; the native terms here have not been found); and as a *nubth* (pl., *nubath*) or "turn" among the Riffians (Johns Hopkins University, 1956, p. 143). This unit is of only minor importance, its main function as a unit resting only in the annual payment of the *tertib* (tax), this being usually collected from each *hauma* or "barrio" of the village on the basis of payments by each biological family (Deverdun, 1942, p. 303; Johns Hopkins University, 1956, p. 143). [651]

b. *Patrilineal Extended Family*

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The importance of the nuclear family is overshaded by that of the second social unit in Berber society – the patrilineal extended family. This unit is made up of a number of nuclear families whose heads are united by descent from a common ancestor no more than three or four generations removed, whose name it carries. If this common ancestor is still living he heads the extended family and represents it on social and public occasions; if not his place is taken by his eldest brother. If this brother dies the extended family splits up into units under each of the other brothers. Thus, the extended family usually consists of a man and his wife, their married sons

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TABLE II

Basic Units of Social Traditional Organization Among the Berber-speakers of Morocco

Social Units	Berber Ethnic Groups			
	Shluh	Beraber	Riffian	Zenata
Nuclear Family	*Taka, takat, kanoun* ("hearth")	*kanoun* ("hearth")	*nubth* ("turn")	
Patrilineal Extended Family	*tigemmi, adouar*	*adham* ("bone"), *rif* ("edge")	*azwar* ("vein" or "penis"), *sajghu, jij*	*tighssat*
Minor Lineage (constituting either a village or a village segment)	*ikhs* ("bone"), *afus* ("hand")	*asoun, tigemmi* or *adouar, tighst*	*ikhs* ("bone"), *tarfiqth*	*ikhs* ("bone")
Major Lineage or Commune (usually constituted of both related and unrelated lineages)	*mouda* ("village, place")	*ikhs* ("bone"), *fakhda*	*arrba* ("fourth"), *fariqath*	*lferqe*
District	*taqbilt* ("district") *khums* ("fifth")	*khums* ("fifth")	*rebaa* ("fourth"), *khums* / *thakhammasth* } ("fifth")	*rebaa* ("fourth")
Tribe	*taqbilt*	*taqbilt, qabila*	*zakoir, thakabitch, qabila*	*taqbilt*
Confederation	(no name)	(no name)	(no name)	*idrasen*

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and their wives and children, and unmarried sons and daughters. 596
Under the rule of patrilocal residence, married daughters go to live 596
with their husband's families, and though they may visit their 591
parents whenever they wish they are counted with the husband's family in questions of loyalty (Berque, 1955, pp. 34-38; Beneitez-Cantero, 1952, p. 195; Celerier, 1948, p. 103; Coon, 1931, p. 90; Deverdun, 1942, p. 303; Johns Hopkins University, 1956, pp. 143-144; Murdock, 1955, p. 140).

The extended family usually resides in a single dwelling, this dwelling being expanded from time to time to accomodate newly married couples. Among the Shluh of the southern Atlas this family [192] is designated after the nature of its dwelling; thus, families living in stone houses are designated by the term *tigemmi*, and those living in mud houses by the term *adouar* (Berque, 1955, p. 36; Doutte, 1905). Among the Beraber the extended family is usually known as an *adham* ("bone") or as a *rif* ("edge") (Abes, 1917, p. 184; Querleux, 1915, p. 21). The Riffians refer to it variously as an *azwar* (pl. *azuran*) ("vein" or "penis"), *sajghu* (pl. *isujgha*), or *jij* (pl. *ijajjen*) (Coon, 1931, p. 90; Hart, 1954, p. 59; Johns Hopkins University, 1956, p. 143; Paniagua y Santos, 1948, p. 13). The Zenata designate it by the term *tighssat* (pl. *tighssatin*) (Marcy, 1929, pp. 138-139).

This patrilineal, patrilocal, patriarchal, and agnatic extended 596
family constitutes a fundamental unit of Berber life; it is the basic domestic, economic, and legal entity. These functions are carried [562] out despite the fact that the extended family is sharply divided into the sex-groups, with men and women practically constituting two distinct "societies" – each with its own traditions, beliefs, practices, and even language. Men and women usually remain separate even [361] in work parties and in the seasonal migrations. The extended family is a very strong social unit among all the Berber tribes, particularly so in the Beraber country, where this fact is illustrated by the members forming a single tent group ("tent circle") during the seasonal migrations (Abes, 1917, pp. 184, 187; Berque, 1955, pp. 34-38, 337-339; Deverdun, 1942, p. 303; Querleux, 1915, pp. 12, 21; Spillman, 1936, pp. 44-45).

The functioning of the extended family has been well described...

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TABLE III

Names of Social Units Found Among Three Beraber Groups

Social Groups	Groups		
	ZEMMOUR (Querleux, 1915, pp. 21-22)	AIT ATTA DU SAHARA (Spillman, 1936, pp. 44, 47)	BENI MTIR (Abes, 1917, pp. 163, 184-190)
Nuclear Family	*kanoun* ("fire" or "hearth")	(fire)	(family)
Patrilineal Extended Family	*adham*, *ikhs* ("bone")	(family)	*rif* ("edge")
Minor Lineages	*asoun*	(no name given)[1] (no name given)[1] (no name given)[1]	*tigemmi* or *adouar* *tighst*[1]
Major Lineage or Commune	*fakhda*	*ikhs* ("bone")	*ikhs* ("bone")
District			*khums* ("fifth") *neefs* ("twos")
Tribe	*qabila* ("tribe")	*taqbilt* ("tribe")	*taqbilt* ("tribe")
Sub-Confederation	*rebaa* ("fourth")	*khums* ("fifth")	
Confederation	*khums* ("fifth")	(no name)	(no name)
Super-Confederation	(no name)		

[1] Occurs only occasionally.

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by Hart (1954) for the Riffian tribe of Beni Uriaguel (Ait Wariyaghri, 99) (This description is closely followed below). Here we find each house widely separated from its neighbors – both in consideration of availability of water and adaptability for defense – and providing shelter usually for a man, his unmarried brothers and sisters, his wife or wives, and his unmarried children. This household, however, does not constitute the entire extended family; the rest of it, to be found in houses some 1000 feet distant or more, includes the man's married brothers, and their wives and unmarried children. This family, therefore, may consist of anywhere from one to ten separate households, and may number as many as fifty people, spread over three to four generations. Once the sons marry, they usually set up housekeeping on their own, but always within the family circle; married daughters go to reside with their husband's family. Once the last surviving member of the oldest generation dies off, the old extended family splits into as many new extended families as there were married brothers originally (Hart, 1954, pp. 58-59).

Ownership of property is concentrated in the hands of the family elders, who parcel it out to their married sons on a provisional or on a permanent basis. If the former, the land goes back for redistribution among all the sons after the father's death; if the latter, the favored son needs a document signed by two public notaries proving that the land is his. If there are few sons, the eldest, if he is a sensible and honest man, is usually chosen to act as property administrator for all after the death of the father. With many sons the amount of land becomes too difficult to administer as a single unit and is usually divided up among the sons. If any of the family land is held by daughters, these are usually induced to sell their holdings to their brothers upon marriage, so that these remain in the hands of the family (Hart, 1954, p. 59).

Throughout the Berber territory the extended family may in some cases enlarge its size by admitting strangers. These are usually persons in desparate financial circumstances who have had to sell their property in order to pay off a fine or a blood money debt assessed by their council, such an individual feeling ashamed to remain in his own village or fearing further reprisal, migrates to

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some other part of the country. If he stops among the Riffians or Shluh he may hire himself out to a landowner in a village; among the Beraber he may put himself under the protection of an influential member by sacrificing a sheep in front of his protector's house or tent as a shame compulsion. In either case he resides with the extended family and contributes his labor; he does not become a member with inheritance rights, however, unless he marries into the extended family with the authorization of the council of elders. This custom of enlarging the household through "adoption" was particularly important in the periods of vendatta warfare, allowing a family to replenish its possibly decimated ranks (Coon, 1931, pp. 90-91; Montagne, 1930, pp. 43-44; Spillman, 1936, p. 44; Westermarck, 1926, Vol. 1, pp. 520-528, 535-536).

c. *Minor Lineages*

Those extended families which can trace their descent through the male line form a common ancestor six or eight generations removed form a minor lineage (minor in the sense that larger lineages may occur). In most Berber tribes this is the largest unit to be based on blood alone. The minor lineage is known among the Shluh as an *ikhs* (pl. *ikhsan*; "bone") or *afus* (pl. *ifassen*; "hand") (Adam, 1951, pp. 39, 69; Berque, 1955, pp. 30-40; Doutté, 1905, p. 8; Montagne, 1930, pp. 43-44, 151; Querleux, 1915, p. 21); as an *asoun* (pl. *issoun*), *tigemmi* (pl. *tigumma*, "house"), or *adouar* (pl. *idouaren*; from Arabic *douar*, "camp circle") among the Beraber (Abes, 1917, pp. 187-188; Deverdun, 1952, p. 312; Querleux, 1915, p. 22); as an *ikhs* or *tarfiqth* (pl. *tarfiqin*) among the Riffians (Coon, 1931, p. 90; Hart, 1954, pp. 60-63); and as an *ikhs* among the Zenata (Marcy, 1929, p. 138). It has been variously designated in the literature as a "family" (Doutte, 1905; Montagne, 1930; Querleux, 1915), a "village-segment" or *hauma* (Coon, 1931, Montagne, 1930), a "village" (Coon, 1931), or a "clan" (Abes, 1917; Hart, 1954; Querleux, 1915). The minor lineage may, under certain conditions, constitute a village-segment, and under other conditions, a village – the correspondence of such a kinship group with such a population focus being a matter of great variability and confusion. It is not, however, a clan, for it is endogamous under most circumstances,

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and may sometimes be only semi-localized (see Murdock, 1949, pp. 65-78, for a definition of a clan). 613

Among the Berbers the minor lineage characteristically consists of from two to four extended families which trace their origin from a common ancestor, and which usually reside in more or less close proximity. The minor lineage forms a geographical and administrative unit, is represented in the public eye by its wealthy elders, and derives its name from its founding ancestor, its locality or location, or from some geographical landmark (Deverdun, 1942, p. 304).

In the Riffian tribe of Beni Uriaguel (99) the minor lineage is a ∞∞ collection of widely scattered households forming part of a diffuse "village", a situation which has been described by Hart:

> ... A *thārfiqth* may have a depth of five to nine generations from its ancestral head to its youngest living members; it may number some 200 living people, distributed through ten to twenty households. In general, it constitutes a separate barrio or *hauma* in a village; its political existence as such is undeniable, for the village council members (*izdīfen*, sing., *azdif*, "head") are the elders of each *thārfiqth*. Not all of these elders are kin, however, for it is unusual, as we shall see, for all the *thārfiqin* in one village to be related to each other.
>
> Preferred marriage takes the form of exogamy between the *ijājgha* [extended families] and endogamy within the *thārfiqth* [minor lineage]. Instances of parallel or cross cousin marriages of the Arab pattern may be spotted in most large genealogies, but they are rare; on the other hand, exogamous marriages into other *thārfiqin* in the same village or in the same political section are frequently contracted. Marriages into other political sections or into other tribes are less common; these are usually contracted by men of influence for political reasons and in the old days such unions formed the basis of a complicated network of alliance systems called *liff* (pl. *lifāf*)...
>
> The *thārfiqth* is bound together not only by recognized kinship ties, but by those of common interest as well. The strongly cohesive character of the group as a social and an economic unit is reinforced by the institution of the levirate, in which a man marries his brother's widow, and by that of the sororate, in which a widower marries his wife's sister; but there is no sororal polygyny, which is forbidden by Islām. The frequency with which the levirate, in particular, occurs can probably be correlated with the prevalence of blood feuds in the Rif; it was a strong factor in reducing to a minimum disturbances of equilibrium within the group caused by the loss of one of its members. Polygyny in Aith Wuryāghil appears to [have] been more often a result of the function of

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the levirate than a matter of personal choice, for most Wuryāghlīs are monogamous through economic necessity; the only cases of polygynous marriages which I know of personally are generally speaking, those of important tribal functionaries: *jaris*, *muqaddams*, *shaikhs*, *qā'ids* and *qaḍīs*...

The size and power of the *thārfiqth* is augmented by landless strangers who have emigrated from their own villages or tribes or fled from them because of some crime they have committed. These strangers contract work as *ikhammāsen* for the *jājghū* heads, and in time they may marry the latters' daughters. In this case the incipient *jājghū* which is formed when children are born is matronymic, taking the name of its mother rather than of its father because of his lack of prestige; rules of residence are then matrilocal, by the same token. Although a *jājghū* of this type could take no part in the governmental activities of the village in which it was located, it had to assume as full responsibilities as the other native *ijūjgha* in time of war. As many of the new *ijājgha* considered this an unfair arrangement, they often broke away from the parent *thārfiqth* to found the nuclei of new *thārfiqin* of their own...

In the Wuryāghli sense of being a "whole family", the internal solidaity of the *thārfiqth* is greatly strengthened not only by the kin ties of the native members, but by the fictional relationship of the stranger accretions as well. Thus, while the individual *ijūjgha* of a *thārfiqth* may be small in number of personnel, the *thārfiqth* of a whole can usually supply some fifty men of age to fast during Ramaḍān, therefore being capable of bearing arms in addition. It was the *thārfiqth* and not the *jājghū* which functioned as the unit of vengeance, as the unity of the whole family was an absolute necessity for its continued existence... (Hart, 1954, pp. 60-62).

613 [171] 613 621 Among the Shluh the minor lineage is of equal importance, and many of the features described for the Riffians also hold true. However, the complex and almost haphazard connection between a minor lineage and a village, or part of a village, is particularly prominent. An *ikhs* may constitute part of a hamlet or village, together with other such units; it may constitute an entire village by itself; or parts of it may be distributed through several villages, sharing these with other lineages. No set pattern apparently exists, and there is no close relationship between this pattern and the political or administrative units. This situation is reflected by great confusion in the sources – a confusion which can be best be avoided by carefully differentiating between units defined primarily by kinship (though also by geographical proximity in the higher levels), and

4: Hoffman E-4 (no date) 1967 MW11 Shluh MW11 (ca. 1900)

those defined by common residence in a nucleated or semi-nucleated community. A common approach to the problem is that illustrated by Montagne, who distinguished five units for the southern and central Shluh: the extended family, the minor lineage (*ikhs*), the *mouda* or "sous-fraction", the fraction or canton, and the tribe. The distinction between kinship unit and community unit is not made, however.

Les unités sociales les plus faciles à définir sont les plus petites et il est particulièrement aisé d'observer la vie du hameau, du village et de la sous-fraction dont l'activité se trouve limitée aux circonstances de l'existence quotidienne.

Dans toute la montagne des Masmouda, la plupart des habitants des vallées vivent groupés en petits hameaux de vingt à trente feux, construits sur les pentes ensoleillées ou sur un piton détaché ou une roche élevée, en un lieu propice à la défense. Chaque hameau, "tadchert", est habituellement peuplé de deux ou trois groupes familiaux, auxquels on donne le nom d' "Ikhs". Ce sont là, nous l'avons vu, de petites unités patriarcales et agnatiques formées par les fils et les petits-fils d'un même père, vivant plus ou moins dans l'indivision, augmentées souvent par des apports étrangers.

Il arrive d'ailleurs souvent que chaque "ikhs" occupe un groupe séparé de maisons. Le hameau prend parfois le nom d'un lieu-dit ou d'un accident topographique... Souvent, aussi, c'est le nom de la famille qui l'emporte sur celui du lieu habité...

Trois ou quatre hameaux rapprochés les uns des autres, ou un gros village, comme ceux qui existent parfois à la partie supérieure des oueds, au voisinage des riches pâturages des sommets, forment généralement une unité à laquelle on donne souvent dans cette région le nom de "mouda'", et que nous appelons dans notre terminologie administrative la sous-fraction. Une "mousquée du vendredi" où les étrangers de passage viennent demander l'hospitalité, un "agadir" ou magasin collectif, dans les régions où cette institution s'est conservée, et surtout l'existence d'une "jema'a", assemblée de tous les hommes en état de porter les armes, telles sont les institutions du "mouda'"... (Montagne, 1930, pp. 151-152).

Berque, speaking from his experiences among the Seksaoua (559) of the western High Atlas, presents a somewhat different analysis of a situation in which the *mouda* is perhaps somewhat variant.

La forme de l'habitat est celle du "hameau" *Imud'a* aux maisons soudées, opposant à la menace externe un périmètre sans fissure. L'agglomé-

4: Hoffman E-4 (no date) 1967 MW11 Shluh MW11 (ca. 1900)

ooo ration est parfois importante: ainsi les a[it]. Mh'nd (600 hab.). Elle peut aussi ne consister qu'en un "écart" de deux ou trois maisons. Ainsi à Ighilan, face à Buteghradin: une vaste portion de pente est occupée par une série de petits quartiers, chacun se ramassant à part des autres. Naturellement, les préoccupations de défense ont prévalu sur les commodités. Même sur celle de l'approvisionnement en eau... Mais la stratégie n'a pas seule conditionné l'installation. Parfois même elle est négligée...

Le chleuh [Shluh] ne distingue pas le hameau du bourg déjà presque urbain. Il emploie toujours le mot *lmud'a* "localité", exotique apport arabe, d'un vague tout suspect. En règle générale, nulle coïncidence entre l'unité politique, la *taqbilt*, et l'unité d'habitat aggloméré. (On n'en trouve, dans notre secteur, qu'un cas isolé, celui des a. Mh'nd). Ni avec l'unité sociale, l'*ikhs*. Pourtant il arrive parfois que des éléments de tout un *ikhs* habitent à part, ou plus fréquemment que le village se décompose en quartiers, comme à T'abya. Mais ce qui compte, c'est plutôt l'indifférence de l'habitat quant aux structures sociales et à l'ordre agraire. L'enchevêtrement des *ikhs*-s entre hameaux du même canton, et de leurs terres dans les différents quartiers, sans autré correspondance avec les divisions de l'habitat que cette complexité même, est bien plutôt la règle.

Pourtant, l'agglomération comme telle peut revêtir une signification: c'est quand les proportions excessives de la *taqbilt* font éclater ses *ikhs*-s en tronçons, lesquels mèneront une vie de plus en plus indépendante dans chacun des villages où ils s'installent, combinés avec d'autres éléments..." (Berque, 1955, pp. 31-33).

Among the Beraber the minor lineage has a slightly different character deriving from the more nomadic nature of existence. During the residence of its members in their permanent villages, the minor lineage may correspond either to a village-segment or, less frequently, to an entire village; its more characteristic and traditional form, however, appears during the seasonal migrations, when it manifests itself as a "camp-circle", with each component extended family having several adjacent, inward-facing tents along a portion of its arc. This "camp-circle" is a self-governing, practically autonomous tent community whose members nominate their own council, which passes or modifies its own laws. The extended families which form it have no autonomy in their own right, and their political strength depends solely upon the nature of their representation on the council. If the minor lineage is large, the "camp circle" may have a mosque and a Koranic school for the

4: Hoffman E-4 (no date) 1967 MW11 Shluh MW11 (ca. 1900)

boys, both situated in a tent at the circle's center. Among the Beraber the minor lineage is a particularly cohesive unit, with a strong *esprit de corps* and sense of common origin and destiny. The minor lineage of the Zenata is closely similar to that of the Beraber (Abes, 1917, pp. 187-188; Deverdun, 1942, pp. 312-313; Johns Hopkins University, 1956, pp. 151-152; Marcy, 1929, p. 138; Querleux, 1915, pp. 21-22; Spillman, 1936, pp. 44-45).

As among the Riffians and Shluh, Beraber marriage is usually endogamous within the minor lineage and always exogamous with respect to the extended family. The minor lineage exogamy that does occur is usually contracted for political purposes (Abes, 1917, pp. 187-188; Johns Hopkins University, 1956, p. 151; Spillman, 1936, pp. 44-45).

Berber kinship structures, as illustrated among the Shluh, Beraber, Riffians, and Zenata, are characterized by patrilineal descent, patrilocal residence, and some degree of territorial localization of the descent group. The most widespread kin group is customarily endogamous; marriage with adopted strangers is allowed, however, and is associated with temporary matrilineal descent. In the kinship terminology (known in detail only from the Riffians) the pattern is that of Murdock's Sudanese type; the father's sister's daughter and mother's brother's daughter being called by different terms and distinguished from sisters, parallel cousins, aunts, and nieces. Aunt and niece terms are both bifurcate collateral. Marriage is usually monogamous, but polygyny is allowed (Johns Hopkins University, 1956, pp. 136a-138; Murdock, 1949, pp. 41-64, 238-239).

The minor lineage is generally followed by, and is part of, a larger unit which we may designate as a "major lineage" or "commune". Usually not all of the lineages which constitute this larger unit are related, for the Berber kinship system is not typically a segmentary one in the sense, for example, that Nuer lineages are segmentary – a clan being composed of related maximal lineages; each of these of related major lineages; each of these of minor lineages; and each of these of minimal lineages. Above the Berber minor lineage, affiliation usually comes to be reckoned partly by kinship and partly be geographical proximity. However, some Beraber groups do give evidence of segmentation. The basic unit superior to the minor

4: Hoffman E-4 (no date) 1967 MW11 Shluh MW11 (ca. 1900)

lineage here does often seem to be based primarily upon descent and may be considered a major lineage. Furthermore, lineage structures intermediate between the minor and major lineages are indicated for the Beni Mtir (231-232) (the *tighst*, pl. *tighsatin*) and for the Ait Ouallal tribe (475) of the Ait Atta (see Table III; and Abes, 1917, p. 189; Evans-Pritchard, 1940, pp. 192-205; Spillman, 1936, p. 47).

613 d. *Commune or Major Lineage*

621 The minor lineages of the Berbers, as has been indicated above, come together to form a larger group which may be designated as [192] a "commune". Among the Shluh this unit is commonly termed a *mouda* ("locality"), or sometimes a *jema'a* (Doutté, 1905; Montagne, 1930, p. 151); the Beraber designate it as a *fakhda* ("division") or as an *ikhs* (pl., *ikhsan* or *ikhusas*) (Abes, 1917, p. 188; Quelreux, 1915, p. 22; Spillman, 1936, p. 44); the Riffians as *fariqath* or as *arrba* (pl., *roboa'*, from the Arabic *rebaa*, "fourth") (Coon, 1931, p. 91; Hart, 1954, p. 66); and the Zenata as *lferqa* (from *el ferqa*, [114] "eighth") (Marcy, 1929, pp. 138-139). In the anthropological literature this unit has been designated as a "canton" (Coon, 1931; Hart, 1954), "sous-fraction" (Deverdun, 1942; Montagne, 1930; Querleux, 1915), "sous-groupes", or "grands *ikhs*" (Berque, 1955).

In most cases the commune is not simply a lineage, for, although most of its component lineages may feel themselves to be related, [171] others are not. Among the Riffians, for example,

> ... the *canton* [i.e., commune] is a group of *bones* [minor lineages] which may or may not be related in blood; it occupies a single geographical unit-area, such as a valley with its contiguous mountains up to their crests. Relationship between the *bones* composing a *canton* depends on whether or not the *bone* of oldest standing has split to form other groups, and whether or not immigrant *bones* have entered or been formed by the enlargement of *veins* [extended families] descended from strangers. In most *cantons* one finds both related and unrelated *bones*. Loyalty within the *canton* is seldom very strong, and in many if not most instances wars have been fought within *cantons*... (Coon, 1931, pp. 91-92).

This is essentially the same definition of a commune as given by Montagne (see p. 53, above) for the Shluh.

4: Hoffman E-4 (no date) 1967 MW11 Shluh MW11
(ca. 1900)

613
Among the sedentary tribes the importance and function of the 621
commune varies greatly depending upon circumstances, particu- 184
larly upon the nature and independence of the community units. Among the Haha (530-541) the settlement pattern is one of widely dispersed households, and nucleated communities are rare; furthermore all the minor lineages within a commune are generally related so that the commune is often equivalent to a major lineage. Under 613
these circumstances the interest and requirements of the commune 621
prevail over those of its component units, and the solidarity of the group is manifested by its sense of common origin, unity, and of *h'orma* or "honor" – the violation of which by an outsider sanctions a vendetta. The commune has a special mosque, a communal [346]
granary, a communal cemetery, and communal property such as [343]
that surrounding the settlements, pastureland, and brushwood [424]
forests (where the members obtain their cooking wood and where [423]
they can attempt to grow a crop of barley if they wish to gamble on [313]
unirrigated land). The commune is also characterized by a repre- [623]
sentative council, and an elected or appointed chief; its principal [622]
functions are the maintenance of the communal mosque as a religious center, a school, and a communal center; the maintenance of the granary; the maintenance of the cemetery and its enclosure, and the distribution of lots to the member families; the arbitration and adjudication of boundary and property disputes between its members; the division of inheritances; the maintenance or lodging of strangers; the distribution of irrigation water; the policing of cultivated fields and of fruit trees; the planning and regulation of communal labor for plowing, harvesting, forest clearing, or irrigation works; and providing officials for certain domestic ceremonies, particularly weddings (Doutté, 1905).

In situations where villages have assumed most purely local administrative functions, the commune – and the larger unit, the district – concerns itself more with problems of political stability – adjudicating and arbitrating disputes between its component units, administering the commune market, and generally maintaining the peace. Hart's description of the commune (*farīqath*) among the ODO
Beni Uriaguel (99), who have well-developed village organizations, reflects this difference in emphasis:

4: Hoffman E-4 (no date) 1967 MW11 Shluh MW11 (ca. 1900)

... In the minds of the tribepeople the *fariqath* is ultimately a descent grouping the members of which are related by blood, although the genealogical steps leading back to the common ancestor (if there was a common ancestor) are no longer traceable. We can find elements of one *fariqath* in the territory of another, and in only about half of these divisions, principally those in the southern mountains, the most homogeneous part of the tribal territory, do we see that the tribal and administrative concepts of the *fariqath* coincide. The importance of this group is political rather than social, because there are always some *thārfīqin* within the cantonal territory which are not related to the others by blood. In general, ties which hold the members of a canton [i.e., commune] together are largely those of common interests: on Fridays they all go to the principal cantonal mosque (*thamzida n khuṭbath*) to pray and to listen to the sermon preached by the *faqīh*. Blood relationship between the members of a canton, however tenuous it may be, nevertheless helps to keep peace, and cantonal wars have usually been heaviest in those cantons which show a greater mixture of various elements... (Hart, 1954, p. 66).

621 613 It should be noted that in some small tribes, communes are absent, all local social and political functions being assumed by the minor lineages and the village organizations (Berque, 1955, p. 65).

The commune or *ikhs* of the Beraber may at times be equivalent to a major lineage, with all of its components tracing descent from a common ancestor; usually, however, some of the lineages are unrelated to others, and the unit is held together more by sense of geographical proximity and common destiny than by relationship. The sense of unity is symbolized by the use of the term "brother" between the male members. The autonomy of the individual lineages is so strong, however, that these may join another commune, or even another tribe, if they so desire. The commune affirms its existence, and expects loyalty from its members, only in time of common danger or crisis (Johns Hopkins University, 1956, pp. 152-153; Querleux, 1915, p. 22; Spillman, 1936, pp. 44-45).

The commune seems to have a greater significance, even if symbolic, among the Beni Ouarain (241-267) of the Zenata.

... L'originalité de la "ferqa" se trouve toutefois mise en relief par l'existence, à l'intérieur de chacune de ces fractions, d'un "ighss" qui revêt entre tous les autres la qualité d'"Ait A'ouwâm". Semblables aux "inflâs" [notables] du Soûs, les "Ait A'ouwâm" incarnent dans les graves occasions l'honneur de la fraction toute entière dont ils ont pour tâche

4: Hoffman E-4 (no date) 1967 MW11 Shluh MW11 (ca. 1900)

essentielle d'être en quelque sorte les champions permanents. Ce sont eux qui marchent au combat en tête de tous les autres et s'efforcent d'y entraîner leurs frères par l'exemple de leur propre intrépidité. Une observation curieuse permet au reste de mettre en lumière le rôle si particulier qui leur est dévolu: toutes les luttes privées qui se sont déroulées chez les Ait Jellîdasen depuis une soixantaine d'années – elles sont au nombre d'une douzaine environ –, n'ont opposé successivement les uns aux autres que les "ighousâs" d'"Ait A'ouwâm", portant chacun la bannière de sa fraction respective... (Marcy, 1929, pp. 138-139).

Similar communal paragons are known from the Haha of the western High Atlas, and may be more widespread than reported (Doutté, 1905).

e. *District*

Beyond the commune one finds a still larger division, the district, customarily termed a "fourth" or a "fifth" in the Berber languages because, in theory at least, four or five of these units consitute a larger unit, usually the tribe. Thus we have the term *khums* ("fifth") used among the Shluh and Beraber (Doutté, 1905; Montagne, 1930, pp. 152-155); *rebaa* ("fourth"), *khums* and *thakhammasth* ("fifth") among the Riffians (Coon, 1931, p. 92; Hart, 1954, p. 67; Paniagua y Santos, 1948, p. 15); and *rebaa* among the Zenata (Marcy, 1929, p. 139). One exception to this, however, is the word *taqbilt* (pl. *tiqilin*), used by the Shluh to refer to both a district and a tribe (Adam, 1941, p. 76; Montagne, 1930, p. 152). In the French and Spanish literature this division is customarily designated as a "fraction" or "canton", and must not be confused with Coon's and Hart's "canton", which is the major lineage or commune (Berque, 1955; Coon, 1931; Deverdun, 1942; Hart, 1954; Marcy, 1929; Montagne, 1930; Paniagua y Santos, 1948; Querleux, 1915; Spillman, 1936).

The district is defined more by geographical proximity than by blood, although there may be many lineages in the same district, even in different communes, which are related by blood and marriage. In some special cases, the district as a whole may claim descent from some common ancestor. The Berber district is in essence a political federation of "villages" or hamlets. Usually it has boundaries no more than 9 or 10 miles across, and is inhabited by a few

4: Hoffman E-4 (no date) 1967 MW11 Shluh MW11 (ca. 1900)

hundred families scattered in a dozen or so dispersed hamlets or three or four larger villages. In most areas of the Shluh country, these traditionally constitute practically independent republics: 634

> ... [The districts] are vital organisms. Small though they be they have to be considered for all practical purposes as true states. The feeling of attachment to the canton [sic] is narrowly territorial and is enhanced by the fact that in a mountain area there inevitably must be, if only for military reasons, some adjustment of the size of each social unit to the natural dimensions of hills and valleys. Nevertheless, as Robert Montagne discovered, the cantonal territories proper tend to be of fairly equal size throughout the Berber lands. For the limits of the canton do not quite coincide with the natural boundaries of these mountain habitats, but may fall short of them, a canton occupying only the space it actually requires, ignoring the more generous expanse offered by nature. This standard size of the cantons is due to organizational reasons. The cantons are ruled by assemblies (djema'a) of notables (inflas) or heads of the extended families, who are supposed to meet regularly. A day's walk over hilly terrain is therefore the canton's natural radius... (Benet, 1957, p. 191).

While the district is not traditionally an independent political unit in most other sections of the country, particularly in the Arabic-speaking plain, it still remains an important socio-political unit (Coon, 1931, p. 92; Deverdun, 1942, pp. 304-305, 313; Hart, 1954, p. 67; Paniagua y Santos, 1948, pp. 15-16).

Throughout the rural areas the districts are designated by names of imputed ancestors or founders. Thus – Ait Lhason, Ait Abdallah, Ait Mousa. The concept, present in some groups, that all the members of the district are descendants from a single ancestor, is completely fictional. One characteristic of Morocco is great internal mobility in the form of temporary or permanent migrations resulting from economic pressure, epidemics, and (formerly) exile and banishment. This population movement has affected every section of the country, from the highest mountains to the coastal plain. Thus, in the district of Ait Lemsour of the Goundafa tribe (589) of the High Atlas, Montagne found none of seventeen minor lineages to be "aboriginal". In the neighboring Seksaoua tribe (559), considered to be a very ancient group by the plains-dwellers, foreign lineages from the other tribes of the neighboring mountains, from the *Haouz* or plain of Marrakech, from the valley of the Sous, [166] 634 613 166

4: Hoffman E-4 (no date) 1967 MW11 Shluh MW11 (ca. 1900)

or of the Oued Noun, are scattered pell-mell throughout the territory. In almost all cases this population turnover is accomplished on an individual basis, individuals or families simply attaching themselves to a community in new territory. In the midst of all this constant renewal of individual elements of the society, the Berber district remains unchanged in outward form or internal structure (Montagne, 1930, pp. 153-154).

f. *Tribe*

Districts are customarily grouped to form a tribe, known as a *taqbilt* or *qabila* among the Shluh, Beraber, and Zenata (Abes, 1917, p. 189; Adam, 1951, p. 76; Doutté, 1905; Marcy, 1929, p. 139), and as a *qabila*, *zakoir*, or *thakabitch* among the Riffians (Coon, 1931, p. 92; Paniagua y Santos, 1948, p. 16).

In contrast to the commune and district, the tribe is a creature of sentiment and attitude, lacking any concrete character or any overt political institutions. It is a territorial unit, the criteria of affiliation being residence within a definite area (though in some cases the boundaries of this area may not be strictly defined). It has a name implying group descent from a common legendary ancestor – an implication usually denied by the tribespeople themselves. Its members recognize a tribal patron saint, common traditions, and sometimes a tribal flag. However, its members do not customarily function as a unit except under circumstances of common danger.

g. *Confederation*

A number of neighboring tribes may feel an affinity through reasons of common interest, history, or residence, and may constitute a vague unit known as a sub-confederation, confederation, or super-confederation, depending upon the exact shade of relationship (see Table III, for examples of structuring). Such confederation units are of little political significance except in case of attack by an outside group. They are largely lacking among the tribes of the Jebala, northeastern Morocco, the central High Atlas, and the Anti-Atlas, but are well developed among the coastal tribes near Rabat (Deverdun, 1942, p. 306; Montagne, 1930, pp. 164-169).

[pp. 62-84 not processed]

4: Hoffman E-4 (no date) 1967 MW11 Shluh MW11 (ca. 1900)

C. FORMAL LOCAL INSTITUTIONS FOR SOCIAL ACTION AND CONTROL

1. *Berber Representative Councils*

Formal traditional tribal controls among the Berbers – Shluh, Beraber, Riffian, and Zenata alike – are based upon a system of superimposed representative councils. Most commonly these are designated by the term *jemaa*, a slight Berberization from the Arabic *ejjemaa*. Other terms, however, are also in use: such are *ait arbain* ("sons of the forty") – employed throughout the High Atlas, Middle Atlas, and the Rif, usually with reference to the council of a tribe or independent district; *diwan* – used by some of the Shluh to refer to the council of the district; *inflas* (pl. of *anflous*, "notable") – used by the Shlun of the Sous region and the Anti-Atlas; and *ayarau* (pl. *iyarawen*) – used in the Rif to refer to the tribal council (Coon, 1931, p. 96; Loubignac, 1942, p. 280; Montagne, 1930, pp. 220-222).

623 634 635 [171] [192]

a. *Structure*

In theory, the *jemaa* of the minor lineage or village (the smallest groups to have councils) among most Berber groups (the *ksour* inhabitants excepted) are composed of the heads of each family or tent within the minor lineage or village, each of these family heads having a voice in the deliberations. In practice only the most "notable" of these (usually one per extended family) actually participate in council activities – the status of "notable" (*ikhatar*, pl. *ikhataren* in *Tamazight*) being achieved entirely on the basis of personal character, age, courage in combat, religious piety, acquired authority, or wealth. The *jemaa* therefore traditionally has the character of a gerontocracy; in this they are supported by the general attitude that the elders are the *ait l'ak'oul*, that is, the people of experience and judgment, and they should guide and command the young. Young married men, heads of families, may attend the council, but must remain content to listen to and approve the words of their elders (Doutté, 1905; Loubignac, 1942, p. 280; Montagne, 1930, pp. 220-224).

621 623 [554] [561]

Some exceptions exist to this general rule. Thus Coon (1930, pp. 96-98) found that among some of the Riffians the village council (or

4: Hoffman E-4 (no date) 1967 MW11 Shluh MW11* (ca. 1900)

minor lineage council) was composed of two or three boys from each of the extended families claiming descent from the common founder of the minor lineage. These boys were chosen by the members of the comune council (the "council of the great"), supposedly by virtue of their superior intelligence and promise of future ability. These junior notables followed the general pattern governing council conduct – electing a *moqaddem* (pl. *moqaddemin*; "moderator"), meeting in the village mosque, and judging minor cases brought before them. Their elders saw to it that their decisions were enforced. Since Coon also found many cases in which village councils were absent, it seems reasonable to conclude that in this region, at least, the institution did not serve an important function.

Each of the social units existing above the minor lineage or village customarily has its own representative council composed of representatives or delegates from the inferior social unit (usually this is equivalent to a delegate from the council of the inferior unit). Thus the *jemaa* of the commune consists of representatives from each minor lineage council; the *jemaa* of the district may consist of representatives from each commune or village; and the *jemaa* of the tribe, of representatives from each district. In the Rif, however, the district council is absent (this is also the case, naturally, among those Beraber groups in which the district is not present), and the tribal council is composed of representatives from each commune or village (Coon, 1931, pp. 96-98; Loubignac, 1942, p. 280; Montagne, 1930, pp. 219-221).

Among the *ksar*-dwellers of southern Morocco the institution of the *jemaa* shows considerable modification. In Ksar Nesrat, for example, superimposed councils are absent – instead the tribal government is embodied in a single bicameral organization composed of a superior assembly (*Jemaa el Kebira*) and an inferior assembly (*Jemaa el'amma*). The seats within the superior assembly are the property of the noble extended families within each of the seven division of the *ksar* (these divisions are probably morphologically equivalent to major lineages or communes – see Table III), and are filled by representatives selected by each of these noble families. Each division is therefore represented in proportion to the number of its noble families. Once designated, the councillors

4: Hoffman E-4 (no date) 1967 MW11 Shluh MW11 (ca. 1900)

hold office for life, except in case of grave error or commission. The two presidents, the *imgharin*, are chosen for life by the members of the superior council, and represent the *ksar* before outsiders (La Chapelle, 1929, p. 32).

The members of the inferior or peoples' council are chosen by the superior council from among the most violent and boisterous toughs in each division, for they are responsible for carrying out the decisions of the superior council and for policing the *ksar*, and the theory is that this work will be facilitated by the fear which they inspire. The president of the inferior council, the *amghar n l'amt*, is similarly selected by the members of the superior body, and acts as a police-chief for the *ksar* (La Chapelle, 1929, p. 33).

Such a bicameral organization apparently is common throughout the Lektawa region, with the common variation that the superior council has only one president, or *amghar*. To the east, in the Tial-lalin region of the Oued Ziz, this political structure apparently becomes simplified further, for Laoust reports the presence of only one council. In theory this is composed of the notables or respondants (*amur*, *bab n umur*, *amasay* in Berber; *mezrag*, *reffad*, or *hamil* in Arabic) of each division, and is headed by a president or chief (*amghar n taqbilt*) elected annually by the noble families of the *ksar*. In practice, however, the same individual may become chief year after year, and he may even select the respondants from each division. The chief also appoints an assistant (*amghar ellemezrae*) each year from among the divisions, who acts as a controller or police-chief over the respondants and is therefore morphologically equivalent to the *amghar n l'amt* in Nesrat (La Chapelle, 1929, p. 32; Laoust, 1934, pp. 143-144).

Among all Berber groups the less important councils customarily hold their meetings in the local mosque. District and tribal councils commonly meet at district or tribal market places.

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b. *Function*

Among the traditional Berbers the function of each representative council is to deal with those matters which interest it as a whole and concern only its members. Within this sphere it exercises what are commonly referred to in Western political thought as executive,

623 635 634

4: Hoffman E-4 (no date) 1967 MW11 Shluh MW11 (ca. 1900)

623 legislative, and judicial functions. The council concerns itself with
635 the maintainance of internal equilibrium between individuals by
634 dispensing and enforcing the customary law, modifying it if necessary; maintains relations with outside groups, and conducts wars against them; administers the communal institutions (mosque, saints' tombs, mosque school, communal granary and cemetery, and irrigation system); distributes water according to the local pattern of water rights; administers and distributes communal lands both for purposes of agriculture and grazing; fixes the schedule for agricultural operations or nomadic or transhumant migration; and in some cases also manages the local market (Coon, 1931, pp. 96-109, 112-114; Deverdun, 1942, p. 307; Doutté, 1905; Hart, 1954, pp. 65-66; La Chapelle, 1929, pp. 32-33; Laoust, 1934, pp. 140-146; Loubignac, 1942, pp. 280-281; Paniagua y Santos, 1948, pp. 14-15).

The *jemaa* generally carries out its functions by appointing or electing executors of various sorts and delegating power and authority to these individuals. The most important of these is the president of the council itself, known as an *amghar* or *sheikh* if head of a district or tribal council, and otherwise as a *moqaddem*. Other functionaries include the administrator of communal labor (particularly on irrigation projects), the administrator or distributor of water, the communal policeman, the religious teacher, and specialists in the administration of customary law (known as *anezzarfou*, pl., *inezzourfa*), though the council reserves the power to revise and modify this legal code (Berque, 1955, pp. 107, 112; Hart, 1954, p. 65; Loubignac, 1942, pp. 280-281; Paniagua y Santos, 1948, p. 14).

671 c. *Customary Law*

Traditionally, all disputes among the Berbers, both of a civil or criminal nature, were settled through reference to traditional customary law (*azrif*), which was largely uncodified and showed slight variations from tribe to tribe. Although replaced among the plains populations by the Moslem *Shari'a*, Berber customary law is still functional in civil cases throughout the Middle and High Atlas (1957), partly through French intervention on its behalf (Coudino, 1942, p. 431; Johns Hopkins University, 1956, pp. 230-231).

The local and communal aspects of the *azrif* are known variously

4: Hoffman E-4 (no date) 1967 MW11 Shluh MW11 (ca. 1900)

as the *'adat* or *'urf*, the distinction between these two words being somewhat confused. Customary law is consulted in all civil cases (such as disputes regarding terrain, water rights, inheritance, etc.), and in minor criminal matters – the customary law having been replaced by a French-sponsored penal code in most aspects of criminal law since the establishment of the Protectorate. This customary law is established and revised by the local representative councils of each region; it may be administered either by them or by a designated arbiter (*annezzarfou*), this arbiter being required to have a great knowledge of the local law, and to be an intelligent and experienced man highly regarded by all. If possible, he should be a stranger to the group involved, or else divorced from its mundane affairs by virtue of being a holy man (Johns Hopkins University, 1956, pp. 231-232; Loubignac, 1942, p. 281).

The most important aspects of the *azrif* are water rights and (formerly) penal crimes such as theft, abduction of women, adultery, wounds, blows, and murder. Water rights are still carefully regulated by the *'urf* or customary law of each group. Among the Beni Uriaguel (99), for example, the *qanuns* or edicts of customary law dealing with irrigation carefully take into account the nature of flow in different rivers. Thus, on the Lower Rhis, in the Plain of Alhucemas, where the flow is constant but not altogether sufficient, the *qanuns* state that any man who purchases land must buy his irrigation turn independently. In the case of the Nekor River which is extremely erratic, the *qanuns* provide that the purchaser of land is automatically entitled to irrigation water, because most of the year there is sufficient quantity for all. Throughout the Berber areas litigation regarding water rights is kept at a minimum through the existence of water administrators (known as *amazzal*, pl. *imazzalen*, among the Shluh) who distribute the irrigation water in accordance with the recognized rights (Hart, 1954, pp. 56-57).

In its application to criminal acts the Berber *azrif* was characterized by great dependence upon oaths and upon the imposition of fines. This first feature (oaths) was the principal reason for the Berber court usually meeting in a mosque or at a market with an associated shrine, for in all cases the litigants swear by something to give efficacy to their oaths, and this is generally something which has

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695 great *baraka* (religious power or blessing) – such as the Koran, the mosque itself, or a saintly shrine. In Berber customary law, however, the oath is employed not only for its supernatural consequences, but also as a legal device, that is, the oath is used in judicial proceedings as a means of establishing the guilt or innocence of a person accused of a crime, and may be taken either by the accuser or by the accused, or by certain other persons who, in addition to
695 the latter, swear to his innocence as conjurators. This procedure,
171 which is also found in Moroccan Moslem law, has been described by Westermarck (1926, Vol. 1, pp. 509-510):

> In Fez, for example, if a person (A.) accuses another person (B.) of theft and the latter disputes the accuracy of the charge, A. says to B., "Come then with me to the governor". The governor asks A. if he can produce witnesses, and if he can do so, sends a soldier with him to hear the evidence. If more than two persons bear testimony to B.'s guilt he has to compensate A. for his loss and pay a fee to the soldier or is otherwise thrown into prison; but the witnesses do not appear before the governor, nor are they sworn in. If they simply testify that B. has stolen something from A. without stating the amount, the latter has to confirm his accusation on oath. Again, if A. declares that he cannot produce witnesses, the governor says to B., *Ḥälf lû*, or, *A'téh ḥaqq lläh*. If B. obeys and swears to his innocence he is acquitted and has nothing to pay. On the other hand, if he refuses to swear, saying, *Qläbtsû álih*, "I turned it on him", the governor asks A. if he is willing to swear that B. is guilty. If he swears, B. has to pay or, if he does not pay, is put into prison; but it may be that A. has to swear twice, since B. may insist that A. shall not only swear to his guilt but also confirm by oath the amount he has stolen. If A. says that he cannot take the oath demanded of him because he did did not see the commission of the theft but only heard of it, or that he strongly suspects B. of it, then B. has to swear or, if he refuses to do so, is compelled to pay or is thrown in prison...

695 Among the Berber tribes the number of conjurators varies according to the gravity of the alleged offense, and includes the accused person himself and male members of his kin, including young boys – this being a consequence of the concept of the collective responsibility of kindred and their duty of mutual assistance. Thus, among the Beni Sadden (64),

> ... the *imggilla* [conjurators], as they are called, are five in case of theft, and one of them, called *amnqqar*, is chosen by the accuser. The latter decides where and how the oaths are to be made, how many and who

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among the *imggilla* have actually to swear, and who is to swear first; and it may be that only one of them is required to swear. In the case of homicide the *imggilla* are fifty, out of whom ten, called *imnqqarn*, are chosen by the accuser. If any of these refuses to swear, the suspected person is considered guilty of the crime; hence it frequently happens that the accuser by bribery induces some kinsman of the latter to refuse to act as conjurator. If a theft has been committed the evidence of witnesses is accepted, but they must actually have seen the commission of the theft and they must all be men. In the case of homicide, on the other hand, testimony can bring about conviction only if the perpetrator of the crime is publicly known... (Westermarck, 1926, Vol. 1, pp. 511-513).

695

Not only did the nature of the alleged crime determine the number of required conjurators, but also the nature of the adjudicating body. Thus Coon (1931, pp. 99-106) found the following division of responsibilities among the councils of the Rif.

[692]

ooo

Village Council

Theft of eggs and of poultry,
Theft of maize,
Illegal cutting of maize in adjoining terraces,
Breaking branches of fruit-trees,
Trampling vegetable gardens,
Theft in orchards,
Illegal starting of grape picking,
Illegal picking of windfall olives,
Theft of olives,
Trespassing in order to pick grass,
Letting stray goats and cattle in the cemetery,
Failure to repair irrigation ditches,
Failure to provide for exiles from other *fifths*,
Failure to contribute to entertainment of councillors of other tribes,
Entering council chamber unbidden,
Conversing with women,
Entering a cemetery occupied by women,
Entering a saint's tomb occupied by women,
Fighting with the hands,
Speaking to the enemy.

Commune Council

Failure to support village council,
Entering a women's market,
Adultery which the injured husband does not discover in the act,
Theft of livestock,
Fighting with sticks,

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•○○ Shooting at a man but missing him,
Collection of blood money,
Failure to attend weddings outside the commune,
Speaking to women in market.

Tribal Council

Adultery caught in the act,
Wounding,
Murder.

681 The nature of the crime also determines the fine imposed. All [685] *'urfs* on record are for the most part long lists of fines for infractions [623] of various rules. If the crime is theft, the fine also varies according [634] to the value of the object stolen. These fines are generally paid to [635] the *jemaa* having jurisdiction over the case. Thus, in Nesrat the [171] fine paid by the respondant of a division of the *ksar* to the *amghar n l'amt* accrues to the members of the superior council (Johns Hopkins University, 1956, p. 232; La Chapelle, 1929, pp. 32-33).

682 This system of jurisprudence, while functioning satisfactorily in most cases, often broke down when the crime was homicide, either because the initial act caused such immediate reprisal and developed into a war so quickly that the councillors found themselves fighting on one side or another before they could call a meeting, or because the tribal council lacked the power to enforce its decision. This 692 situation was forestalled somewhat among some of the Shluh tribes through the institution of annual "rounds of justice".

•○○ ... Lorsque les cantons [districts] sont ainsi groupés de manière à constituer une véritable tribu, formée d'un certain nombre de petites unités autonomes, on procède souvent à des tournées de justice exécutées dans tout le territoire, au cours desquelles toutes les infractions commises pendant l'année sont examinées et punies. Toutes les forces de la tribu viennent alors prêter leur appui à chacun des cantons pour faciliter le règlement rapide des différends sans qu'il en résulte aucun danger pour la paix intérieure.

Cette coutume, naguère observée chez les Igezzoulen de l'Anti-Atlas occidental, est encore très vivante dans la confédération des Ida Ou Tanan, chez les Ait Ou'azzoun [545] et les Ifesfasen [544]. La tournée de justice est accomplie en suivant un cérémonial minutieusement observé. Chez les Aït Ou'azzoun, par exemple, tribu formée de quinze "afous" ou

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fractions, chaque "afous" rassemble tout d'abord dix Ait Arba'in ["Sons of the Forty"] qui désignent un représentant. Les quinze délégués des "afous" ainsi nommés délibèrent à part et forment le conseil des "imzran," tandis que la masse des Aït Arba'in de toutes les fractions réunies constitue une force de police capable de faire éxécuter toutes les décisions. Le tout prend le nom d' "ajom'a" des Ait Ou'azzoun. Ainsi formée l'"ajomo'a" se transporte tout d'abord chez les Ait Wanzig qui sont les "inflas el khir" ou "porte-bonheur" de la tribu des Aït Ou'azzoun. Pendant un jour et une nuit, le conseil examine tous les cas de vol ou de meurtre commis pendant l'année et dont le compte a été tenu avec soin par les notables et que le taleb a notés par écrit. Les coupables sont convoqués, entendus, condamnés à l'amende, et ils versent sur-le-champ des gages constitués par un certain nombre de fusils. Si les coupables sont des marabouts, qui n'ont pas de fusils, ils paient une amende sous forme d'animaux destinés aux repas en commun. Le lendemain, l'"ajmo'a" se déplace en suivant un itinéraire traditionnellement fixé, et stationne deux ou trois jours, selon l'importance des fractions. Une nuit se passe à la zaouia de Sidi Brahim Ou 'Ali, centre religieux de la confédération, où l'on offre au saint un sacrifice solennel. Enfin, la tournée de justice s'achève dans les cantons du nord et le dernier, à la zaouia d'Issouqal, les coupables viennent verser les amendes et retirent les fusils qu'ils avaient mis en gage. Les marabouts qui ont joué le rôle de conciliateurs ou de conseillers reçoivent des cadeaux, et un sacrifice est offert au saint d'Issouqal. Puis, l'argent qui reste est aussitôt partagé en deux moitiés; l'une revient aux "imzran", l'autre aux fractions representées par les Aït Arba'in... (Montagne, 1930, pp. 229-230).

Among other Shluh groups, as well as among the Beraber and Riffians, the matter is not usually handled so satisfactorily. Thus, among the latter group, Coon found that,

... when one man murders another, whether or not in retaliation for a previous murder, the tribal council comes to his house, which it burns, providing it dares to. It cuts down the fruit trees and inflicts a fine of a thousand dollars. If a man and his *bone* [minor lineage] refuse to pay the fine and resist the burning of the house or the cutting of the trees, the members of the tribal council attack them. This fight may last anywhere from a half hour to several months, and may turn into a war. If the *bone* which refused has no allies, it seldom wins, but there are few *bones* without allies. The allies in the tribal council draw apart as inconspicuously as possible and start shooting at the rest of the tribal council. The *bone* which has refused sends messengers to talk with various councillors and to persuade them to join their side, promising money and

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000 women. In this way there are generally two sides fighting each other before the day is over, and they stay there and fight until one side has won. If the tribal council wins and succeeds in burning the house of the murderer, it burns the rest of the houses of the *bone* as well, and cuts down as many of its trees as it desires.

The *bone* then flees in a body to another fifth, to another tribe, or out of the Rif entirely. If the members, thinking already of vengeance, cannot stand the sight of their trees being cut down and their houses caved in, they select a bull from the herd which they are driving into exile with them and entrust it to the leader of the mosque or to a student, who leads it back into the presence of the tribal council and slaughters it there [thereby "casting" an *'ar* upon them]. If this is done the tribal council is compelled to let them go back again and to permit them to pay the fine. Once the bull is slaughtered the tree-cutting and other destruction must cease. Many *bones* are too proud either to pay or to send a bull, so that they become destitute and homeless through their pride, providing they are not strong enough to defend themselves against the tribal council... (Coon, 1931, pp. 104-105).

628 As a result of these attitudes and institutions, vendetta warfare was the normal state of existence throughout much of the Berber highlands before the French Protectorate (Loubignac, 1942, p. 286).

d. *Council Presidents or "Chiefs"*

623 554 634 635 As indicated above, almost all representative councils have presiding officers known variously as *moqademin* (pl. of *moqaddem*), *imgharin* (pl. of *amghar*), or *shiukh* (pl. of *sheikh*). In the traditional Berber republic this individual was only *primus inter pares*; he executed the wishes of the council, and he depended largely upon his personal qualities of moderation, persuasion, intelligence, and good luck. If he attempted to abuse his power the council punished [687] him by a heavy fine, by burning his house or tent, or even putting 634 him to death. Despite the threat of these sanctions, the tribal or 635 district *jemaa* usually had to watch its president most carefully lest 554 he usurp power or establish himself permanently (Doutté, 1905; Montagne, 1930, pp. 224-225).

The powers and functions of the council president throughout most of the Berber country have been well described by Loubignac, who we will here follow closely. Of the various council presidents the most important were those of the independent district (among

4: Hoffman E-4 (no date) 1967 MW11 Shluh MW11 (ca. 1900)

the southern Shluh groups) or of the tribe. These higher officials customarily carried the title of *amghar* (a Berber word derived from the root *mqour*, signifying "to be great or important") and of *sheikh* – these titles also appearing in such combination as *amghar n'tuga* ("chief of the grass"), *sheikh er rbi'a* ("chief of the spring, grass[?]"), and *sheikh el 'am* ("chief of the year"). In most cases these chiefs held office for only one year; though in some cases they could be reelected for a second term. Among the Ait Outferkal (605), however, the term of office corresponded in years to the number of divisions in the district responsible for appointing the tribal chief. More recently each district of this tribe has had a separate chief appointed for life – this is also the situation in many of the sub-Saharan regions explored by Foucauld. Among most Berber groups it was customary for the district or tribal president to remain in office for longer than a year if a war developed during his term of office, and if he proved himself to be a capable leader. Only in time of war did he have any real power (Loubignac, 1942, pp. 281-282).

To be eligible for the post of tribal chieftain an individual generally had to be a native of the tribe, although long residence therein (40 years or so) sometimes could substitute for this requirement. The applicant also had to have experience in high public office; this and the previous requirements limited the circle of candidates to include only the tribal notables. The actual selection of the tribal *amghar* was almost always the prerogative of the *jemaa* – the only exceptions being among the Ait Mehammed (606) in the area of Azilal, and at Boudenib (in the area of the Ait Izdeg du Guir [438]), where the tribes have delegated the responsibility of choosing their leaders to holy men. Here and elsewhere, the selection is customarily made in the spring. Among the Ait Ichkern (416), for example, the incumbent *amghar* at this time notifies a conference of notables known as *asifed* ("return of powers") that his term is about to expire, and calls the tribe together for the ceremony known as the *taalamt*, for which he fixes the date. At the appropriate time delegations from all the divisions of the tribe assemble at the designated site with their tents, horses, and servants, accompanied *en masse* by the tribes-people. The preliminary festivities,

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635 666 527 lasting for four days, are marked by various forms of entertainment, with banquets playing a leading role. Only after the conclusion of the festivities does the tribal council turn to the task of selecting the new tribal leader (Loubignac, 1942, p. 282).

635 666 [643] To ensure strict equality between the various divisions of the tribe each is called upon in turn to designate a member as a candidate for tribal chief – while if the office is that of supreme chief over the many tribes of a single confederation (this chief being appointed sometimes in time of war) those divisions having the privilege of making nominations are selected by lot. Once elected the appointee is theoretically prevented from rejecting the proferred honor by a sense of moral obligation – a sense reinforced in some tribes by the threat of sanctions. Nevertheless, there is in practice always some resistance to the appointment, for the office carries with it great responsibility and heavy expenses (Loubignac, 1942, p. 283).

635 631 After his succession to office the new *amghar* carries out two measures which are indispensable for the effective exercise of his authority. First, he appoints from among the notables of each division one who is to act as the "respondant" or "guarantor" for that division – this respondant being responsible for the conduct of the members of the division, for the execution of orders given by the [621] *amghar*, and for the application of sanctions if necessary. The res- [613] pondant of each division or fraction in turn designates repondants in every commune over which he has jurisdiction, and these commune respondants in turn designate respondants for each village or [182] minor lineage. This system of command and of delegation of authority assures the execution of orders given by the *amghar*, but also acts to promote the autonomy of the smaller social units, for the minor respondants and council members take care of all local problems in their own way without interference from the tribal *amghar*. The second step carried through by the *amghar* is to revise and enlarge the schedule of fines so as to encourage obedience to his promulgations (Johns Hopkins University, 1956, p. 227; Loubignac, 1942, p. 283).

635 554 In the traditional democratic Berber republic the duties of the *amghar* are often poorly defined, for they often duplicate those still

4: Hoffman E-4 (no date) 1967 MW11 Shluh MW11 (ca. 1900)

retained by the *jemaa*, for this body is often reluctant to delegate completely its authority and functions. In theory, and generally in practice, however, the *amghar* represents the tribe in its dealings with neighbouring and foreign social units; protects the interests of the community and the customs and laws of each unit; executes the decisions of the *jemaa*; proposes measures of general communal interest and certain public utilitarian projects, such as irrigation works; oversees the seasonal migrations, or establishes the schedule for planting and harvest; fixes the contribution to be made by each group in money or goods for the maintenance of the public works; acts as administrator of the tribal treasury if there is one (this is particularly the case among the *ksar* of southern Morocco); and, finally, being responsible for public order and safety, supports the police and applies the schedule of fines (Johns Hopkins University, 1956, pp. 228-229; Loubignac, 1942, p. 283).

The powers of the *amghar* are somewhat more extensive in the military sphere, particularly in time of war. He has the authority to compel each division to buy a certain number of horses and guns; together with the tribal *jemaa* he determines the size of the contingent to be furnished by each group and the supplies to be carried, as well as the place of combat and, in case of success, the division of spoils (Johns Hopkins University, 1956, p. 229; Loubignac, 1942, pp. 283-284).

The fluid and often vague separation of powers and responsibilities between the *jemaa* and the *amghar* acts, as may be expected, as a severe restraint upon initiative in leadership.

... La confusion des pouvoirs était grande; l'assemblée des notables, qui les détenait tous, n'abdiquait pas volontiers entre les mains d'un seul; égalitaire à l'excès, elle se montrait résolument hostile à toute tentative de pouvoir personnel; aussi contrôlait-elle avec méfiance les initiatives de l'Amrhar, de sorte qu'il n'osait rien entreprendre sans la consulter; l'autorité de chef était discutée dès qu'elle voulait s'affirmer; elle dépendait moins de son titre que de sa situation personnelle, de son prestige, de la fermeté de son caractère, de la puissance de ses proches, de la crainte qu'il savait à l'occasion inspirer; la situation de ses répondants, ses représentants dans les fractions, était encore moins assise. Dans cette confusion, chacun s'occupait de tout, et le nombre des interlocuteurs obscurcissait encore le débat. Pour éviter des froissements qui auraient entraîné de graves incidents, on s'efforçait de réaliser l'unani-

4: Hoffman E-4 (no date) 1967 MW11 Shluh MW11 (ca. 1900)

... mité sur des solutions qui, en cherchant à ménager tous les intérêts, risquaient souvent de ne satisfaire personne (Loubignac, 1942, p. 284).

635 This conflict between the tribal chief and the tribal council, which
631 in the pre-Protectorate period generally resulted in victory for the
669 representative council among the Beraber, Riffians, and Shluh of
175 the Anti-Atlas, was resolved in favor of the chiefs among the Shluh of the western High Atlas. Here, a number of chiefs, taking advantage of the general state of inter-tribal warfare existing around 1893, seized absolute power within their tribes and, with the help of arms smuggled in from the coast, extended the areas of their control and established quasi-feudal caidates. The most important of these existed in the High Atlas between Safi and Mogador on the coast, to the Dades-Dra region, and included the caidates of the Abdas (headed by Si Aissa Ben Omar), of the Hahas (Anflous), the M'Tougas (Si Abd el Malek), the Goundafas (Si Tayeb Goundafi), the Glaouas (Si Madani Glaoui, and later his brother Haji Thami Glaoui), and the Ahensals (Sidi Moh Hansali) (Great Britain, 1919, pp. 157-161; La Chapelle, 1928; Montagne, 1928; 1930, pp. 269-364, 395-400; 1949, pp. 116-117).

The principalities established by these conquering *imgharin* were generally organized after the pattern established by the *Makhzen*, and somewhat resembled small independent feudal states in medieval Europe. Each *amghar* or *caid* nominally acknowledged the Sultan as temporal ruler, but actually remained independent. Each *caid* assumed the ultimate power and authority, as well as title to the land, by right of conquest. Each governed his domain through deputies, known as *khulafa'* (pl. of *khalifa*), who were usually, though not always, members of his family. Each *caid* and *khalifa* resided in a heavily fortified residence (actually a palace) known as a *kasbah* (pl. *kisab*), together with his household, men and women who tilled the land surrounding the castle for the owner's profit, masons, carpenter, a cobbler and a tailor, and the manager of a small food shop. In the literature on southern Morocco, the term *kasbah* is often erroneously applied to a *ksar*; such usage is only correct in the relatively infrequent case that a *ksar* contains a *kasbah* as at Ouarzazate (Landau, 1951, pp. 82-83).

4: Hoffman E-4 (no date) 1967 MW11 Shluh MW11 (ca. 1900)

2. *Alliances and Agencies for Negotiation and Arbitration*

The traditional social units of Moroccan rural society, involving increasing segmentation as one moves from the confederation or the tribe to the extended family, do not easily lend themselves to the maintenance of peace and harmony. In the pre-Protectorate period rivalries between different blood groups, strong regionalism, and the attitude that insults to "honor" were best avenged by the vendetta, all tended to override the sense of unity derived from geographical proximity, the use of common markets, and brotherhood in Islam. This tendency was rendered all the more critical in the Berber areas by this ethnic group's traditional antipathy towards any form of centralized political authority.

In the Berber areas these centrifugal forces were traditionally countered and controlled by an elaborate system of religiously inviolable alliances combined with an equally elaborate system of "checks and balances" and agencies for the negotiation, mediation, and arbitration of disputes. These compensating factors, although somewhat slow in operation and therefore often ineffective in preventing local social disturbance, did generally contain the dispute within a small area and thus limit its consequences. Similar institutions were also present in the Arabic-speaking areas of the *Bled el Makhzen*, although some suffered suppression at the hands of the central authority.

a. *Shame Compulsions and Covenants*

In the absence of a central authority with strong police powers, interpersonal and intergroup relationships and alliances in both pre-Protectorate Berber and Arabic-speaking society were rendered binding and inviolable through the use of religious shame compulsion (*'ar*) and covenant (*'ahd*). In Morocco the word *'ar* implies the transference of a conditional curse for the purpose of compelling somebody to grant a request, the power of the conditional curse deriving from the mysterious power inherent in the curse (which may sometimes be reinforced by the invocation of another supernatural power or object). Thus, if a person says to another, *Ha l-'ar alik*, "Here is *'ar* upon you", it implies that if

4: Hoffman E-4 (no date) 1967 MW11 Shluh MW11 (ca. 1900)

626 754 171 the latter does not grant the request some misfortune will befall him on account of the conditional curse contained in the *'ar*. The *'ahd* or covenant differs from the *'ar* in being established by bilateral action – the two parties, by solemn oath, agreeing to carry out some action or to suffer unforeseen retribution (Coon, 1931, pp. 163-164; Westermarck, 1926, Vol. 1, pp. 479, 518-519, 564-56

Although considered unlawful by Islamic orthodoxy, the *'ar* is nevertheless very widely employed and generally respected in Morocco – although individuals existed even in the traditional society who took no notice of *'ar* cast upon them. The *'ar* and the *'ahd* together constituted an extremely important mechanism not only for inhibiting or forcing individual action in cases of social disturbance, but also for establishing alliances and relationships which circumvented blood and territorial affiliations. These effects were accomplished through "alliances".

b. *Alliances*

609 754 574 171 Five general types of alliances existed, and still exist, in Morocco, serving various purposes and acting on different levels (see Table V). The simplest is that established unilaterally by some traveller for the purpose of securing passage and protection in a foreign territory; it may or may not involve the casting of *'ar*. A traveller, entering the territory of a foreign tribe may either request protection and safe conduct from a native through an appeal to the tribal honor, or he may cast *'ar* upon the native for this purpose by either giving a sacrifice or, more commonly, paying money. The native may or may not grant the first request, but the second allows him no choice. He is duty-bound to see the traveller conducted through the country, either by escorting him personally or by sending a son or friend; [192] furthermore, he is bound to avenge any injury to the traveller. Such protection is termed *mezrag* (literally "spear") by the Arabic-speakers of the plains, and *tazettat* by the Shluh and Zenata; the Berabər refer to it as *amur* if it involves a mere request, and as *tazettat* if *'ar* is cast. Thus, a traveller coming to a village in which he has no friends or acquaintances places himself in the *'ar* of the villagers by the phrase, "I am the guest of God", or by, "We are the guests of God and your guests." He is then given board and

4: Hoffman E-4 (no date) 1967 MW11 Shluh MW11 (ca. 1900)

lodging either at the village mosque or at private homes. Generally speaking, every guest in Morocco is considered to be in the *'ar* of his host (Berque, 1955, p. 460; Bruno and Bousquet, 1946, pp. 357-362; Marcy, 1929, pp. 140-141; Westermarck, 1926, Vol. 1, pp. 535-539).

609 754 574 171

TABLE V

Alliance Systems or Relationships Established by Shame Compulsion or Covenant (See Text for Sources)

Relationship	Group				
	Arabic-Speakers	Shluh	Beraber	Jebala-Riffian	Zenata
Alliance for Safe Passage	*mezrag*	*tazettat*	*amur tazettat*	[1]	*tazettat*
Alliance for Securing a Patron for Aid and Protection	*zettata*	(*tigarsi-?*)	*tazettat*	(*leff-?*)	*amur*
Brotherhood Between Persons and Families		*ameqqon*	*tagmat*		*taimat*
Brotherhood Between Extended Groups		*ameqqon* (*tada*)	*tada*		*tada*
Brotherhood Between Politically Autonomous Groups for Purposes of Defense	*leff*	*ameqqon*	*tafergant*	*leff*	*leff*

571 609 574 754 171 192

[1] Relationship structure present but name not given.

Shame compulsion may also be employed by an individual, or a group of individuals, to gain refuge and protection, aid, mediation, or pardon through the help of a patron or mediator, as well as to prevent blood-feud or force the acceptance of blood-money. These diverse applications all fall within the scope of that alliance system known by the Arabic-speakers as *zettata*, by the Beraber as *tazettat*, and by the Beni Ouarain (241-267) of the Zenata as *amur* (see Table V). Through it, an individual fleeing from enemies or from

571 754

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571 754 punishment could place himself in the protection of a prominent person by entering his tent or grasping the tent-pole at the entrance and exclaiming, "I am in God's *'ar* and your *'ar*," or, "I am seeking refuge with your children." The owner of the tent is then obliged to assist him, at least by acting as an intermediary between him and his pursuer, or by speaking to the *caid* or governor on his behalf. The pursuer, in such a case, cannot try forcible to remove the fugitive, but must apply to the owner. A similar custom prevails among the sedentary populations residing in houses. A fugitive could also place himself in the *'ar* of a woman by touching her, sucking her breast, sitting down in front of her, or running into her house and taking hold of the handmill; her husband and family then being obliged to help him. He could also place himself under the protection or *'ar* of an entire village to which he has fled by crying, "I am seeking refuge with God and You, O Community", or by seeking refuge in the village mosque. Mosques generally, however, are not as safe as saints' shrines, for an individual seeking refuge in a shrine came under the *'ar* of the saint. In the Arabic-speaking area a fugitive frequently used *'ar* to obtain a pardon from the authorities.

571 754 695 This alliance mechanism could, however, be used not only by the defendant in a civil or criminal case, but also by the plaintiff. Persons who had suffered damage or injury, or had had a relative murdered, and were unable to protect themselves or obtain vengeance, secured aid by casting *'ar* upon other individuals or upon various social groups. This could be done by hanging an earthenware pot around the neck and entering another person's tent or house; by turning the handmill in this person's tent or house; by placing a saddle upside-down at his door or sacrificing an animal there; or, in the case of women, by cutting the hair, blackening the face, covering oneself with rags and cow-dung, and passing from village to village asking for aid – the latter being a particularly powerful form of casting *'ar* which cannot be refused. Among the Beraber a person may cast an extremely compulsory kind of *'ar* by taking his little son or daughter to the house of the leading man of a village, or to the mosque, laying the child across the door, holding a knife over the artery of the neck, and threatening to kill it if the

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help asked for is refused. An individual may also take an unmarried daughter into another man's house and invoke his assistance, saying that this is *'ar* upon him. The girl is then left there until the owner of the house and his friends have satisfied the request (Bruno and Bousquet, 1942, pp. 361-362; Westermarck, 1926, Vol. 1, pp. 520-530, 560-561).

The use of *'ar*, however, is not restricted to persons engaged in civil or criminal cases, but may also be employed by public bodies, or their representatives against such individuals. This is illustrated by usage among the Ait Youssi (234-236), Westermarck reporting that in the event that a murderer and his male relatives in the patrilineal line have fled, unrelated elders in the village attempt to postpone the blood-feud by casting *'ar* upon the victim's family – either by sacrificing a sheep at the grave, or descending into the open grave itself while scribes give recitations on the behalf of the still unburied deceased. Through this, and the intervention of still other people, the relatives of the deceased eventually agree upon a period of truce; before the expiration of this truce the homicide or his relatives have a *sherif* or other influential men again cast *'ar* upon the family until such a time as they are willing to accept blood-money. *'Ar* may also be cast by the inhabitants of a defeated village upon the members of the victorious group for the purpose of ending the conflict – individuals of a third village or holy men acting as the mediators (Coon, 1931, pp. 105, 162-163; Westermarck, 1926, Vol. 1, pp. 530-532).

An outstanding example of the use of shame compulsion to secure protection is provided by the *ksour* inhabitants of the south, these placing themselves under the protection of a neighboring nomadic tribe by the ceremony known in Arabic as *debiha* and in Tashilhait as *tigarsi*. Another example would be the practice on the part of Jews in Berber areas of using *'ar* to secure a Moslem protector or patron (La Chapelle, 1929, p. 37).

The third type of alliance – known among the Shluh by the term *ameqqon* ("relationship, alliance"), among the Beraber as *tagmat* ("brotherhood"), and among the Zenata as *taimat* ("brotherhood") is concluded between single individuals or families who desire to establish a mutually profitable relationship legally equivalent to that

4: Hoffman E-4 (no date) 1967 MW11 Shluh MW11 (ca. 1900)

571 563 which would exist if they were collateral kinsmen. Such a relationship, established by a covenant, may have a military purpose, a number of families within a village forming alliances for mutual defense or to increase their strength for purposes of vengeance. If [621] such a military alliance is formed in response to an act perpetrated within the village, it is usually countered by a second, so that the entire village becomes divided into two rival divisions, known as *sof* in Arabic and as *ameqqon* in Tashilhait. Such a polarization of the village is not an inevitable consequence of the use of the alliance mechanism, however, for the alliance may also have as its purpose such peaceful goals as the sharing of irrigated farmland or pasture-land (Bruno and Bousquet, 1946, pp. 364-365; Marcy, 1929, p. 141; Montagne, 1931, p. 196; Westermarck, 1926, Vol. 1, pp. 564-565).

The concept of the alliance of individuals and families through a bond of brotherhood is extended further to the concept of the alliance by brotherhood of larger groups. Two general cases occur; 628 571 *tada* alliances and *leff* alliances. Of these, *tada* alliances are the least inclusive, generally being established by covenant between two divisions or even two tribes already linked by some form of ethnic 628 571 171 tie. Although *tada* alliances are not unknown among the Shluh (see for example, Westermarck, 1926, Vol. 1, p. 526), they are most frequent among the transhumants, here having vitally important economic functions. As with the *taimat*, or *tagmat*, the symbolism of the *tada* alliance emphasizes the establishment of ties of brotherhood between the two groups; this is clearly expressed among the Beni Ouarain (241-267), where the two groups exchange containers of milk, the contents of which are then poured on the ground between to symbolize the nourishment of both groups by the milk of a common mother, such symbolism is also occasionally resorted to in the casting of *'ar* on the *amur* type alliance (type 2, Table V), when a fugitive touches a woman, pretends to suck her breast, sits down in front of her, or turns her handmill – for he thus becomes, as it were, her son. Among the Ait Atta (465-491) this symbolic act is reserved for the ceremony of *afeqgant*, a *tada* alliance being established instead by a ceremony of covenanting involving the exchange of slippers or cloaks (Bruno and Bousquet, 1946, pp. 365-368; Deverdun, 1942, p. 314, Marcy, 1929, p. 142; Spillmann,

4: Hoffman E-4 (no date) 1967 MW11 Shluh MW11 (ca. 1900)

1936, pp. 50-51; Westermarck, 1926, Vol. 1, pp. 564-567). 628

Among the transhumants *tagma* and *tada* alliances are employed first and foremost to control and regularize occupancy of pasture-lands – a function particularly important in those regions, such as the Middle Atlas, where each area, upon becoming vacated by the departure of one group, is immediately reoccupied by one coming up from the rear. In such a situation, the existence of the alliance enables the councils of the allied groups to designate lands of common pasturage, in which members of the two groups may graze their sheep successively or together. Only under such circumstances does grazing take place freely and without molestation. In fact, good relations between two groups occupying the same territory is inconceivable without the existence of a *tada* alliance, for this alliance not only opens the way for common use of the land, but also prohibits theft, adultery, or other injury (Bruno and Bousquet, 1946, pp. 366-368). 571 171

Leff alliances differ from *tada* alliances in involving many more groups and covering much larger areas; furthermore they characteristically involve the alignment of politically independent districts or tribes into two balanced and opposed units known as *leff* (pl. *lfuf*) in Arabic, as *ameqqon* (pl. *imeqqon*) in Tashilhait, and as *tafergant* in Tamazight. These units characteristically form a checkerboard or mosaic structure which may cut boldly across both tribal and confederation boundaries, allying, for example, districts of one tribe with districts in another and putting them into opposition with districts within their own tribe (see Fig. 7); they thus present a pattern in which each district or tribe is usually bordered by some of the same and some of the opposite *leff* unit. In areas where the *leff* structure was still strong in the pre-Protectorate period, such as among the Shluh and Beraber, and in the western Jebala, the *leff* units seem to have functioned primarily to provide mutual assistance in defensive war. Among the Shluh and the Riffians the units were characteristically permanent – dividing the population into traditional moieties; among the Beraber realignments were more common; among the Arabic-speakers the *leff* structures were characteristically unstable, and also demonstrated disintegration resulting from the natural antagonism of the *Makh-* 571 628 616 634 635 [171]

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4: Hoffman E-4 (no date) 1967 MW11 Shluh MW11 (ca. 1900)

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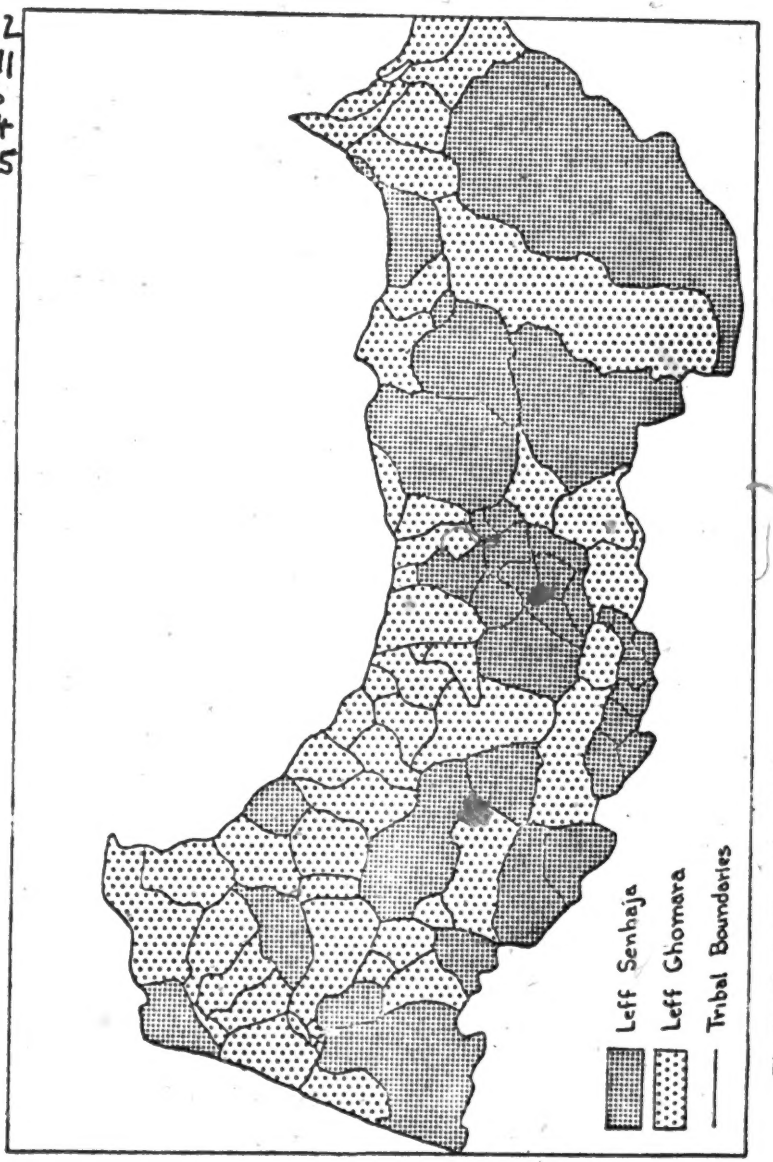

Fig. 7. The *Leff* Structure of Northern Morocco, Redrawn from Montagne (1930, map opp. p. 208).

4: Hoffman E-4 (no date) 1967 MW11 Shluh MW11 (ca. 1900)

zen to such a competitive political system (Adams, 1953, p. 33; Coon, 1931, pp. 105-108; Deverdun, 1942, pp. 306-307; Doutté, 1905; Montagne, 1930, pp. 182-216; Murdock, 1956, pp. 142-143; Spillmann, 1936, pp. 49-52; see also Berque, 1955, pp. 424-439, for a critique of the *leff* theory).

Just as the *tada* alliance between extended groups represents an extension of the *tagmat* or "brotherhood" alliance between individuals and families, so the *leff* alliance represents a still further extension of fictional brotherhood between extended groups. This is clearly illustrated among the Ait Atta (465-491), where the pact of *tafergant* ("interdiction"), renewed annually, is marked by a "ceremony of milk" symbolizing the fiction of a common mother, and involves a prohibition upon the men to marry, or even to "look" upon, the women of the opposite group. Among the Shluh the *leff* alliance is renewed or revitalized annually by great festivals and "rounds of hospitality" (*tinoubga*), in which the ties of brotherhood between the *leff* members are reemphasized, and in the course of which many private associations, family alliances, and marriages are also contracted (Berque, 1955, pp. 425-426; Montagne, 1930, pp. 187-191; Spillmann, 1936, pp. 50-51).

Among the Shluh of the High Atlas and Anti-Atlas the political importance of the *leff* units was very great in pre-Protectorate times, the balance of power between the two divisions usually acting as a strong restraint against agressive action. If a Shluh district was, in fact, attacked by another, the defenders despatched messengers to the border of their *leff* allies to fire gunshot signals, a few hours after which the forces of the victimized *leff* began to pour across the border to give battle to the aggressor. In such a case the *leff* allies of the aggressor generally did not also intervene, but if they did, as frequently happened in the Tiznit area, the outcome was a general war throughout the area of the *leff* structure (Montagne, 1930, pp. 187, 202-203).

c. *Intervention*

Although but a single *leff* structure existed in northern Morocco during the early 20th century, the importance of this system varied greatly within this region, being strongest in the western Jebala and

4: Hoffman E-4 (no date) 1967 MW11 Shluh MW11 (ca. 1900)

616 in the area around the mouth of the Moulouya, and weakest in the
171 central Rif. In the area of the Beni Uriaguel (99), in fact, the *leff* structure was already at this time of only historical interest and expressed itself only as a mild antipathy towards the opposing group. The primary function of the *leff* as it is known in the southern areas, that of defense against aggressors, is here handled by simple intervention – a point completely missed by Murdock (1956, p. 143) in his discussion of Riffian *lfuf*. The interveners assume this role largely on the basis of their proximity to the area of disturbance, without regard to their *leff* affiliation (as can be seen by comparing Coon's list of interveners with the *leff* structure as given by Montagne and shown in fig. 7); their motivation to take such action springing as much from a desire to secure a share of the fine imposed upon the errant group as from a desire to restrict the conflict and maintain the peace.

600 ... If a lively internal war has broken out in the tibe as a result of the refusal to pay a fine imposed by the tribal council, or through a series of reciprocal murders and resultant alliances, made before the tribal council could intervene, the surrounding tribes call together their tribal councils which go to the territory of the warring tribe and meet as a great council of tribes in the middle of it, in a village or in the open country. They summon the tribal council of the warring tribe to answer for its action. If the tribal council comes, the assembled tribal council (the great council of tribes) assess a fine of from two to three thousand dollars, which they divide, giving each tribe with five *fifths* [districts] five parts, and each tribe with only one *fifth* one part. Then the subdivisions within the *fifths* and single tribes take place [sic] and the councillors go home.

If, however, the tribal council of the fighting tribe refuses to come and pay a fine, the tribe patches up its differences quickly and presents an united front against the invaders. In this case the councillors of the other tribes send home for retainers, each *fifth* separately, specifying the number of men to come from each *fifth*, from each *canton* [commune], and from each *bone* [minor lineage]. The old men, retired councillors, select the warriors and their judgment is final. The reinforcements come as soon as possible and there ensues a war between the erstwhile internally warring tribe and those which have come to punish it. If the alliance wins, it does so by defeating *canton* after *canton*, imposing a fine upon each when it submits; the fine levied on the first *canton* is about five thousand dollars, and the amount increases until the last *canton* has to pay about fifteen thousand dollars. As each *canton* submits it must join the victors in fighting the rest of its own tribe, in return for which it receives

4: Hoffman E-4 (no date) 1967 MW11 Shluh MW11 (ca. 1900)

its share of the fines paid as each of the other *cantons* submits. In this way all defeated *cantons* pay, and all but the last, which pays the most, receive shares of the spoils (Coon, 1931, pp. 106-107).

3. *Rural Government in the Bled el Makhzen*

In contrast to the relatively democratic and uncentralized political organization of traditional Berber society, that of the Arabic-speakers of the pre-Protectorate *Bled el Makhzen* was cast in a mold heavily influenced by Arab concepts of a centralized State, with absolute political power theoretically concentrated in the hands of the ruler. Within this system the lines of command, of authority, and of control, were relatively direct and simple.

In the *Bled el Makhzen* three social bodies could be distinguished on the basis of their relative position within the power structure – the *Makhzen*, the *guich* tribes, and the remainder of the population. The *Makhzen*, or central government of the Sherifian dynasty, constituted an aristocratic power elite headed by a Sultan who was both *Imam*, the religious ruler, and *Emir el Mouminin*, or Commander of the Faithful, upon whose *baraka* ("supernatural power" or "blessing") – deriving both from his *shurfa* origin and from the act of assuming the sultanate – the welfare of the country depended. The power and authority of the *Makhzen* also rested upon the temporal support of Arab retainers – the so-called *guich* tribes – who provided the manpower both for the central administration and for the armies which protected the palace and the imperial cities, and collected the taxes, if necessary. For these services they were given land in usufruct and were generally tax-exempted (Deverdun, 1942, pp. 319-324; *Encyclopédie Mensuelle d'Outre-Mer*, 1954, pp. 31-32, 37; Westermarck, 1926, Vol. 1, pp. 38-39).

Makhzen control of the rural *Bled el Makhzen* had both temporal and religious aspects, for the regime not only strove to achieve military and political domination by policies of "divide and conquer", but also actively sought to secure its position by forwarding the Arabization and Islamization of the inhabitants. These goals were accomplished not only through the use of local administrative officials (chiefs, deputies, governors of cities) and Koranic judges, but also through the manipulation of the innumerable *shurfa* and

[pp. 110-200 not processed]

4: Hoffman E-4 (no date) 1967 MW11 Shluh MW11 (ca. 1900)

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778

[For information on the invocation by an individual of 'ar--a conditional curse for the purpose of compelling somebody to grant a request--in order to seek asylum or sanctuary, see categories 571 and 754.]

[For additional information on the so-called Shluh "tribe", made up from three to twelve districts, with political leadership under a tribal council "chief", see also category 635.]

[For information on the heads of the tribal and district councils who are frequently referred to in the literature as "chiefs", see categories 619, 634, and see also 635.]

646 Shluh MW11
623

[Information on councils at the district or tribal levels will be found in categories 634, 619, and see also 635.]